

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

SERGEI KOVALEV <i>Plaintiff, pro se</i>	:	CIVIL ACTION
	:	
	:	NO. 22-1217
v.	:	
	:	
WALMART INC, INC., et al. <i>Defendants</i>	:	

ORDER

AND NOW, this 11th day of October 2022, upon consideration of the *motion to dismiss* filed by Defendants Walmart Inc., Wal-Mart Stores East, Inc., and Wal-Mart Stores East, LP (collectively, “Walmart”), [ECF 11], Plaintiff’s response in opposition, [ECF 25], Walmart’s reply, [ECF 29], Plaintiff’s sur-reply, [ECF 30], and the allegations in the complaint, [ECF 1-4], it is hereby **ORDERED**, for the reasons set forth in the accompanying Memorandum Opinion, that:

- (1) the motion to dismiss is **DENIED** as to Count II (negligence); and
- (2) the motion to dismiss is **GRANTED** as to all other claims and demands. Accordingly, Counts I, III, IV, V, VI, VII, and VIII, and Plaintiff’s demands for punitive damages and injunctive relief are **DISMISSED**.

BY THE COURT:

/s/ Nitza I. Quiñones Alejandro
NITZA I. QUIÑONES ALEJANDRO
Judge, United States District Court